

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Debra Landwehr,

Plaintiff,

Case No. _____

v.

DEFENDANT’S NOTICE OF REMOVAL

Synchrony Bank, N.A.

Defendant.

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF MINNESOTA:**

Defendant Synchrony Bank, improperly named as Synchrony Bank, N.A., (“Synchrony”), by counsel and pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, hereby notices removal of the state court civil action known as *Debra Landwehr v. Synchrony Bank, N.A.*, from the District Court for the Second Judicial District for County of Ramsey (the “State Court”), to the United States District Court for the District of Minnesota, and in support thereof states as follows.

1. Synchrony is the only named defendant in Plaintiff’s complaint in the State Court, entitled *Debra Landwehr v. Synchrony Bank, N.A.* A copy of Plaintiff’s Complaint is attached hereto as “Exhibit A.”

2. On December 22, 2020, Synchrony was served with a copy of the Complaint and Summons, with service effective on December 22, 2020. A copy of the Summons is hereto as “Exhibit B.”

3. Exhibits A and B constitute the documents contained in the state court file as of today’s filing of this Notice of Removal.

4. The removal is timely because it is filed within 30 days of being served with the Complaint and Summons. *See* 28 U.S.C. § 1446(b).

5. Synchrony removes this case on grounds of federal-question jurisdiction pursuant to 28 U.S.C. § 1331.

6. Plaintiff's Complaint alleges violations of a federal statute, the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* ("TCPA").

7. Synchrony will promptly serve a copy of this Notice of Removal on Plaintiff and will file a copy of the Notice with the Clerk of the District Court of Ramsey County, Minnesota, in accordance with 28 U.S.C. § 1446(d). A copy of the to-be filed state court Notice of Removal, without its exhibit, is attached hereto as "Exhibit C."

8. Pursuant to 28 U.S.C. §§ 84(b) and 1441(a), venue is proper and this case is properly removed to this Court because the United States District Court for the District of Minnesota embraces Ramsey County, where Plaintiff's action is pending.

9. There are no other cases related to the instant action, and Synchrony has not attempted to remove this case previously.

10. Synchrony hereby reserves any and all rights to assert any and all defenses to Plaintiff's Complaint, including, but not limited to, insufficiency of process, lack of personal jurisdiction, and improper venue.

11. Synchrony reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, Synchrony Bank, improperly named as Synchrony Bank, N.A., respectfully removes Plaintiff's action from the Second Judicial District for the State of Minnesota, County of Ramsey, to this Court, pursuant to 28 U.S.C. § 1441, and requests that further proceedings be conducted in this Court as provided by law.

Dated: January 11, 2021

**ANTHONY OSTLUND
BAER & LOUWAGIE P.A.**

s/ Cory D. Olson

Cory D. Olson (#386841)
colson@anthonyostlund.com
90 South Seventh Street
3600 Wells Fargo Center
Minneapolis, MN 55402
Telephone: 612-349-6969

Attorney for Defendant